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Mali

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I. Introduction

1. This report for the third cycle of the universal periodic review is submitted in a context marked by implementation of the Agreement on Peace and Reconciliation in Mali resulting from the Algiers Process, which contains clauses on the promotion of genuine national reconciliation based on such elements as: putting in place transitional justice mechanisms; the non-applicability of the statute of limitations to war crimes and crimes against humanity; no amnesty for perpetrators of these offences and serious human rights violations, including violence against women, girls and children; consolidation of the judicial branch in order to guarantee the rule of law throughout the country; thorough reform of the judicial system to make it more accessible and improve its performance; and ending impunity.

2. This report describes the changes in the national context regarding the promotion and protection of human rights over the last five years. It presents and analyses the follow-up to implementation of the recommendations and commitments resulting from the 2013 universal periodic review, the mechanisms for protecting human rights, progress and best practices, and the constraints upon promoting and protecting human rights.

3. The report also makes a series of recommendations on supporting Mali in its commitment to a peaceful resolution of the armed conflict in an atmosphere respectful of human rights and the rule of law.

II. Methodology and consultation process

4. This report is based on in-depth discussions with State bodies, institutions of the Republic, national human rights institutions and civil society organizations, and analysis of documents. It focuses on progress and difficulties since the second review of Mali.

5. The Human Rights Division of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) supported the production of the draft national report for the third cycle of the universal periodic review. A workshop, attended by representatives of ministerial departments, institutions of the Republic, the National Human Rights Commission (CNDH), the Office of the Ombudsman and civil society organizations, was held on 5 October 2017 to approve the draft national report. The International Organisation of La Francophonie (IOF) assisted Mali with the final draft of the national report. The Committee to supervise the preparation of the national report for the universal periodic review, set up under Decree No. 2017-0800/PM-RM of 19 September 2017, prepared the final version of the national report, which was submitted to the Cabinet for approval.

III. Changes in the normative and institutional framework (2013-2017)

A. Constitution

6. Chapter I of the Constitution recognizes and guarantees all categories of human rights. It also makes provision for mechanisms to ensure that they are guaranteed by a judicial branch independent of the executive and legislative branches and for a Constitutional Court that guarantees the fundamental rights of the individual and public freedoms.

7. Despite the progress made, institutional practice has brought to light some inadequacies in the Constitution that justify its amendment. A committee of experts to review the Constitution was established by Decree No. 2016-0235/PM-RM of 20 April 2016 to draw up a preliminary draft of a bill amending the Constitution that rectifies its inadequacies on the basis, in particular, of the Agreement on Peace and Reconciliation in

Mali resulting from the Algiers Process and the achievements of previous attempts at constitutional amendment.

8. Following the work of the Committee, the National Assembly adopted Act No. 2017-031/AN-RM of 2 June 2017 amending the Constitution. Decree No. 2017-0448/P-RM of 7 June 2017 summoned the electoral college on 9 July 2017 to decide upon the Act by referendum. After consulting political, economic, religious and social leaders, the President decided to postpone the holding of a referendum.

B. International instruments

9. During the reference period, Mali continued the ratification and accession process. It has ratified or acceded to the following international human rights instruments:[1]

- Convention relating to the Status of Stateless Persons, adopted by the United Nations Conference of Plenipotentiaries in New York on 28 September 1954 (Act No. 2015-056 of 31 December 2015 and Decree No. 2015-0866/P-RM of 31 December 2015 on accession).
- Convention on the Reduction of Statelessness, adopted by the Conference of Plenipotentiaries in New York on 30 August 1961 (Act No. 2015-057 of 31 December 2015 and Decree No. 2015-0881/P-RM of 31 December 2015 on accession).
- Protocol P029 of 2014 to the Forced Labour Convention, 1930, adopted by the 103rd session of the International Labour Conference in Geneva on 11 June 2014 (Act No. 2015-061 of 31 December 2015 on ratification, Order No. 2015-029/P-RM of 23 September 2015 authorizing ratification of the Protocol, and Decree No. 2015-0645/P-RM of 19 October 2015 ratifying it).
- C155 Occupational Safety and Health Convention and the Protocol thereto, adopted on 22 June 1981 and 3 June 2002 respectively in Geneva by the 67th and 90th sessions of the International Labour Conference (Act No. 2015-065 of 31 December 2015 ratifying Order No. 2015-035/P-RM of 23 September 2015 authorizing accession to the Convention, and Decree No. 2015-0644/P-RM of 19 October 2015 acceding to it.

C. Harmonization of national legislation with international instruments

10. The Government has introduced bills to bring national legislation into line with international human rights conventions. A corpus of legislation was thus developed during the reference period:[2]

- Act No. 2017-021 of 12 June 2017 amending the Employment Code by raising the minimum age of employment.
- Act No. 2016-039 of 7 July 2016 amending Act No. 01-079 of 20 August 2001 on the Criminal Code by criminalizing the corruption of foreign public officials and officials of public international organizations, and corruption in the private sector.
- Act No. 2016-008 of 17 May 2016 introducing a single Act on money laundering and the financing of terrorism.
- Act No. 2016-048 of 17 October 2016 on elections.
- Act No. 2015-052 of 18 December 2015 introducing measures to promote gender equality in access to appointed and elected office.
- Order No. 2015-032/P-RM of 23 September 2015 establishing the Central Office to Combat Illicit Enrichment.
- Order No. 2013-012/P-RM of 2 September 2013 amending Act No. 01-078 of 18 July 2001 on the control of drugs and precursors.
- Act No. 2013-016 of 21 May 2013 amending Act No. 01-080 of 20 August 2001 on the Code of Criminal Procedure by amending the rules of procedure on police

custody and searches of and visits to homes with a view to improved punishment of perpetrators of terrorist offences and transnational organized crime and their accomplices.

- Act No. 2014-015 of 27 May 2014 on the prevention and punishment of illicit enrichment.
- Act No. 2013-015 of 21 May 2013 on the protection of personal data in the Republic of Mali.
- Act No. 2016-036 of 7 July 2016 establishing the National Human Rights Commission.

D. Public policies and national strategies

11. During the reference period, the Government of Mali continued to implement socioeconomic development projects and programmes with a view to strengthening the promotion and protection of human rights:[3]

- Government Action Programme (PAG 2013-2018).
- Strategic Framework for Economic Recovery and Sustainable Development (CREDD 2016-2018), the Agreement on Peace and Reconciliation in Mali resulting from the 2015 Algiers Process, the national policy on the promotion and protection of the child and the related five-year action plan 2015-2019, adopted on 26 February 2014.
- National promotion of the family policy and action plan 2016-2020, adopted on 7 October 2015.
- National migration policy and action plan, adopted on 16 July 2014.
- National policy to promote the social solidarity economy and the related action plan 2014-2018, adopted on 9 October 2014.
- National climate change policy, adopted on 9 October 2014.
- Agricultural land policy of Mali, adopted on 3 December 2014.
- National humanitarian action policy, adopted on 7 January 2015.
- National employment policy and action plan 2015-2017, adopted on 18 March 2015.
- Health and social development programme 2016-2018.
- National craft sector development policy and action plan 2014-2018, adopted on 18 March 2015.
- National human rights policy and action plan 2017-2021, adopted on 16 November 2016.
- National transitional justice policy and plan of action 2017-2021, adopted on 22 December 2016.
- Institutional development programme (second generation) and operational plan for 2017-2021, adopted on 15 March 2017.

12. Furthermore, the Government is implementing a national programme to combat excision. It has an estimated budget of 120,000,000 CFA francs (CFAF). This budget is supplemented by other technical and financial partners.[4]

13. The Government has also continued to implement the Action Plan 2015-2017 to combat trafficking in person, under the aegis of the National Coordinating Committee on Combatting Trafficking in Persons and Similar Practices.[5]

IV. Administration of justice and international criminal law

14. The Government has redoubled its efforts to preserve the progress made in relation to justice. The Emergency Programme to Strengthen the Judicial System and Implement the Agreement on Peace and Reconciliation (PU-RSJ-MOA) was adopted on 13 October 2015. This programme promotes full independence of the judicial branch and the fight against impunity and human rights violations.[6]

15. Article 46 of the Agreement on Peace and Reconciliation in Mali resulting from the Algiers Process provides for the establishment of an international commission of inquiry to investigate violations of international human rights law and international humanitarian law throughout Malian territory. Legislation to establish this commission is in preparation.[7]

16. The Government has built a new headquarters for the Supreme Court, the Administrative Court of Mopti and the newly established district courts of San, Niono, Fana and Macina. In addition, the support of the United Nations Development Programme (UNDP) and MINUSMA has enabled 18 courts in the north of the country and 20 custody suites to be built or renovated.[8]

17. In the framework of preventing reprisals and violations of human rights and international humanitarian law, the Government conducted two studies in 2014, on the criminal justice system, and on training and awareness-raising on human rights for the armed and security forces, judges and others working in the judicial system, and the general public.[9]

18. The Government is committed to prosecuting all presumed perpetrators of serious human rights violations: arrest and prosecution of some members of the National Committee for the Restoration of Democracy and State (NCRDS — the junta), opening of the trial of presumed perpetrators.

19. The Government has intensified its awareness-raising activity in order to prevent intercommunal violence and disarm militias, including by implementing the national reconciliation strategy and action plan (2015-2018).[10]

20. In the framework of Security Sector Reform, it adopted the Programming Act on internal security in order to combat drug-trafficking and smuggling in the north of the country.[11]

21. With regard to combating terrorism, it has amended the Code of Criminal Procedure to set up a judicial unit specializing in combating terrorism and international organized crime in the Regional Court of municipality VI of the District of Bamako, and revised the Criminal Code.[12]

22. The Government has worked to reduce to the minimum human rights violations in the execution of activities aimed at restoring law and order in the country.[13] It has also opened investigations and prosecuted members of the armed and security forces involved in serious human rights violations.[14]

23. The judicial and political authorities, the National Human Rights Commission and human rights organizations have conducted regular visits to places of detention in the framework of monitoring the application of criminal law and international standards on detention.[15]

V. Rule of law, democracy and peace

24. In the framework of restoring democracy and the rule of law, the Government has continued its efforts to strengthen democratic institutions and restore the constitutional order. Significant advances have been made, including: the signing in Ouagadougou in June 2013 of the Preliminary Agreement to the Presidential Election and the Inclusive Peace Talks in Mali; the adoption of Act No. 2016-048 of 17 October 2016 on elections; the organization of free and fair elections in 2013;[16] adoption of the transition road map; review of the status of the opposition that led to the adoption of Act No. 2015-007 of 4 March 2015 on the status of the political opposition; appointment of the leader of the opposition; the

establishment of a framework for cooperation between the Minister of Regional Government and the leaders of political parties;[17] and the organization of conferences on the north and decentralization in 2013[18] and the National Understanding Conference in 2017.

25. In 2016, the Government organized municipal elections, and appointed and established interim authorities in the northern regions in 2017.

26. The Government continued to work through PU-RSJ-MOA to strengthen the rule of law.[19]

27. In order to strengthen solidarity between all parties, peacefully complete the political transition and re-establish national unity and territorial integrity so that the Malian people can enjoy all human rights, the Government set about mobilizing all those involved in the peace process, which in 2015 resulted in the signing of the Agreement on Peace and Reconciliation in Mali resulting from the Algiers Process, and established a committee to follow up the Agreement.[20]

VI. Combating impunity, and transitional justice

28. Significant action has been taken to combat impunity, including the opening of the trial of several members of the military junta, the conviction by the International Criminal Court of Ahmad Al Faqi Al Mahdi for war crimes in the north of Mali and the conviction by the Mali Assize Court of Aliou Mahamane Touré, former Islamic commissar, for serious human rights violations.[21]

29. Confronted with a resurgence of human rights violations, especially against women and children, the Government embarked upon the path of transitional justice. In this framework, it took several initiatives, including: the organization in June 2013 of a national seminar on transitional justice; the adoption of Act No. 2014-001 of 7 April 2014 ratifying Order No. 2014-003/P-RM of 15 January 2014 establishing the Truth, Justice and Reconciliation Commission; the drafting and adoption of legislation and regulations on the international commission of inquiry provided for by the Agreement for Peace and Reconciliation in Mali resulting from the Algiers Process; the adoption of a national transitional justice policy by the Cabinet on 22 December 2016; and the adoption of Decree No. 2015-0858/P-RM of 31 December 2015 on procedures for applying Act No. 2012-025 of 12 July 2012 on compensation of victims of the rebellion of 17 January 2012 and the insurrection of 22 March 2012.[22]

30. The national policy document on transitional justice adopted by the Government on 22 December 2016 contains necessary measures to guarantee the non-recurrence of human rights violations, the right to the truth, the right to justice and the right of victims and the members of their families to compensation.[23] The bill on the protection of human rights defenders was adopted by the Cabinet on 4 January 2017.

31. The Truth, Justice and Reconciliation Commission continues to cooperate closely with the Office of the United Nations High Commissioner for Human Rights (OHCHR), international organizations and human rights organizations in order to meet the challenges facing transitional justice in the form of the human rights violations that took place before and during the current crisis.[24]

32. The Government has benefited from the assistance of MINUSMA, OHCHR and the International Criminal Court, which are providing technical assistance to support its efforts to investigate and prosecute the international crimes within its jurisdiction, especially crimes committed in the north and centre of the country since January 2012.[25]

VII. Fighting terrorism and transnational organized crime

33. The Government has continued to fight terrorism in all its forms by: adopting the Security Sector Reform, the Military Guidance and Programming Act and the Internal Security Programming Act; intensifying the training and equipment of the armed forces; establishing a specialized judicial unit and specialized units to fight terrorism and organized crime; and strengthening collaboration between the Mali armed forces, MINUSMA, Operation BARKHANE (French anti-insurgent operation in the Sahel) and G5 Sahel (a joint military force of Burkina Faso, Chad, Mali, Mauritania and Niger to tackle terrorism).

34. Additional measures are the adoption of Interministerial Order No. 2013-1338/MSIPC-MDAC-SG of 9 April 2013 establishing a terrorist attack management centre in the Bamako district and its environs and Decree No. 2015-0230/PRM of 2 April 2015 on implementation procedures for freezing funds and other financial resources of terrorists, the financiers of terrorism and terrorist organizations, and adoption of a strategy to fight against religious extremism.[26]

VIII. National institution for the promotion and protection of human rights

35. The National Human Rights Commission is the national institution responsible for promoting and protecting human rights in Mali. It is also the national mechanism for the prevention of torture.

36. It was established in accordance with international standards, including the Paris Principles, through the adoption of Act No. 2016-036 of 7 July 2016. The main innovations of the new Act are: making the Commission an independent administrative authority; reducing the number of members from 41 to 9, all of whom are permanent and covered by immunity; strengthened independence; autonomous management of the resources allocated; and the establishment of regional representation of the Commission. It can receive complaints from individuals who believe themselves to be victims of human rights violations.

37. The new Act opens the way to the accreditation of the National Human Rights Commission of Mali with "A" status, which would enable it to vote during sessions of the Global Alliance of National Human Rights Institutions (GANHRI) and make it better able to perform its functions.[27]

IX. Promotion and protection of human rights (2013-2017)

A. Civil and political rights

Abolition of the death penalty

38. There is a moratorium on executions.[28] No death sentence was executed during the reference period.

Trafficking in human beings

39. The Government has taken measures to combat unlawful trafficking in persons in accordance with the United Nations Convention against Transnational Organized Crime and the Protocols thereto. The National Coordinating Committee on Combatting Trafficking in Persons and Similar Practices has been set up, an action plan on fighting trafficking in persons and similar practices has been adopted and a bill against slavery and similar practices has been drafted.[29]

Extrajudicial executions, torture and ill-treatment, arbitrary detention

40. The Government has taken measures to end serious human rights violations by giving the defence and security forces clear instructions and the necessary training to act in accordance with international human rights standards. It has also taken the following measures: issuance of arrest warrants for the perpetrators of such acts; training in international humanitarian law for the armed and security forces; adoption of the Military Guidance and Programming Act and Security Sector Reform; and amendment of the Code of Conduct of the Armed and Security Forces of Mali in order to adapt it to the present context.[30]

Freedom of religion

41. The Government has taken measures to guarantee freedom of religion and worship. These include establishing the Ministry of Religious Affairs and Worship and a national directorate of religious affairs and worship with branches in the regions, districts and municipalities, and the restoration of destroyed mausolea.[31]

Freedom of expression

42. The Government has continued its efforts to raise awareness with a view to protecting freedom of expression and ending the practices that threaten this right. It has adopted Act No. 2015-018 of 4 June 2015 amending and ratifying Order No. 2014-006/P-RM of 21 January 2014 establishing the High Communication Authority. It has also opened investigations into disappeared and deceased journalists.[32]

B. Economic, social and cultural rights

Right to an adequate standard of living

43. The Government has continued to implement socioeconomic development projects and programmes that aim to guarantee the effectiveness of the right to an adequate standard of living: the Strategic Framework for Economic Recovery and Sustainable Development, the overall objective of which is to promote inclusive and sustainable development in order to reduce poverty and inequality in a unified and peaceful Mali on the basis of the Agenda 2030 Sustainable Development Goals. It has also introduced the national policy to promote the social solidarity economy and the related action plan 2014-2018.[33]

Right to education

44. The Government has continued its efforts to improve the functioning of the education system. There has been significant development in the education sector as a result of implementation of the Ten-Year Educational Development Programme, the Education Sector Investment Programme and several recommendations made by the National Education Forum held in 2008, including an increased gross enrolment ratio in lower and upper secondary education, increased infrastructure, a huge study of Koranic schools in order to bring them into line with the education system in terms of clearly defined teaching methods, and strengthening the partnership around and at the service of the school.[34] To tackle the effects of the crisis of 2012, an Education for All Emergency Project for 2013-2016 was drawn up and implemented with the objective of increasing access to education and improving the learning environment for students affected in the target areas.

45. The Government has continued to strengthen vocational education, including with the support of the international community through the implementation of several projects and programmes, including the Youth Employment Programme and the Ten-Year Vocational Training for Employment Programme. The aim of these programmes is to reduce youth unemployment. It has also set about consolidating vocational training activities and enhancing employability by introducing Act No. 2016-026 of 14 June 2016 on vocational training, and the national employment policy and action plan 2015-2017.[35]

Right to health

46. The Government has continued its efforts to increase the health coverage rate and introduce free C-sections, antiretrovirals and treatment of tuberculosis and malaria for pregnant women and children under 5 years. Technical capacity and special State assistance to patients living with HIV and AIDS have improved significantly.[36]

47. The Government has also worked to improve health coverage through the Health and Social Development Programme and by providing access to drinking water with the establishment of Société Malienne de Gestion de l'Eau Potable (SOMAGEP) and Société Malienne de Patrimoine de l'Eau Potable (SOMAPEP).[37] In addition, it has adopted Act No. 2015-036 of 16 July 2015 on consumer protection and a national policy document on food safety.[38]

C. Women's rights, gender equality and women's empowerment

48. The Government has intensified its efforts to eradicate female genital mutilation (FGM/excision) through the National Programme to Combat Excision, which has dealt with more than 1,080 cases of complications following excision[39] and resulted, with the assistance of religious leaders, in more than 8,000 women who carried out excisions in almost 1,200 villages abandoning the practice.

49. The Government has intensified the campaign to raise public awareness against female genital mutilation, including by celebrating International Day of Zero Tolerance for Female Genital Mutilation (6 February) and for the Elimination of Violence Against Women (25 November), and implementing 16 days of activism against violence against girls and women.[40]

50. With a view to adopting legislation outlawing all forms of the traditional practice of female genital mutilation in accordance with the recommendations of the Committee for the Elimination of Discrimination against Women and the Committee on the Rights of the Child, the Government is reviewing the Criminal Code in order to include provisions punishing violence against women. It has also issued Decision No. 2017-002/MPFEF/SG of 24 January 2017 setting up the national committee to supervise the process of adopting a bill against gender-based violence, including excision, and the development of a national road map for the adoption of a bill against gender-based violence, including excision.[41]

51. The Government has continued to implement measures aimed at protecting women's rights through implementation of the national gender policy action plan and putting into operation the National Gender Policy Permanent Secretariat so that women's rights are fully respected.[42]

52. Regarding the participation of women in the management of public affairs, significant progress has been made through the adoption of Act No. 2015-052 of 18 December 2015 introducing measures to promote gender equality in access to appointed and elected office.[43]

53. Government efforts have also led to the drafting of the National Plan to implement United Nations Security Council resolution 1325, which resulted in the development of strategies to combat gender-based violence during conflicts, strengthen the participation of women in implementing the Agreement for Peace and Reconciliation in Mali resulting from the Algiers Process, and to promote equal treatment and non-discrimination against women.[44]

D. Rights of the child

54. The Government has made significant progress regarding the rights of the child with the adoption by the Cabinet of a national policy document on protection of the family and an action plan for 2016-2020, and guidelines for the management and protection of children at risk or living in serious situations of abuse, violence, exploitation or negligence.[45] In 2016, Act No. 2016-058 of 27 December 2016 on war orphans in the Republic of Mali was

adopted. Order No. 02-062/P-RM of 5 June 2002 on the Child Protection Code is under review.

55. The Government has taken the necessary measures to protect children's rights, prevent the recruitment of child soldiers by parties to the conflict and establish mechanisms for the reintegration of demobilized children through the adoption, on 28 January 2013, of an interministerial memorandum stating that children associated with armed forces and groups who have been captured or have escaped are to be considered victims and treated accordingly.[46]

56. The Government has continued to redouble its efforts to eliminate child labour in the framework of the national programme to combat child labour through wide dissemination of the legislation prohibiting it.[47]

57. It has worked to improve children's access to health care and education by guaranteeing them appropriate access to these services through the 3rd Ten-Year Health and Social Development Plan for 2014-2023 and the Education Sector Investment Programme.[48]

E. International humanitarian law

58. The armed conflict that affected the regions of northern Mali in 2012 caused significant displacement of persons both within Mali and to neighbouring countries.

59. With the signing of the Agreement for Peace and Reconciliation in Mali resulting from the Algiers Process and the presence of NGOs in charge of humanitarian assistance in areas of return, humanitarian assistance, social cohesion, economic recovery and the re-opening of basic social infrastructure programmes have made it possible to support internally displaced persons, refugees and vulnerable groups.

60. The table below presents by theme the state of implementation of the measures and actions in progress or already undertaken by Mali. Essentially, it covers the recommendations accepted, those already taken into account and those noted following the interactive dialogue of 22 January 2013.

Areas/Goals Recommendations	Status	Measures taken/planned	Impact of measures taken/planned Indicators of results
I. National legislative measures, policies, strategies and initiatives			
1.1 National human rights institution (**110-4**)	Finished	Act No. 2016-036 of 7 July 2016 establishing the National Human Rights Commission Decree No. 0853/PR-M of 8 November 2016 on the organization and terms of reference of the National Human Rights Commission Decree No. 2017-0377/P-RM of 3 May 2017 appointing the members of the National Human Rights Commission.	The members of the National Human Rights Commission took their oath on 17 May 2017 for a non-renewable seven-year term.
1.2 National policies and strategies			
(a) Human rights awareness-raising, education and training (**110-5**, **111-19** to 21, **111-38**, **111-59** to 60)	In progress	Training and awareness-raising on: • combating excision • combating trafficking in persons and similar practices • combating the sexual exploitation of women and children	• Implementation of a programme to combat excision. An annual budget of CFAF 120 million has been allocated but is insufficient to reach the objectives. • Abandonment of the practice by 8,000 women who carried out excision in 1,200 villages. • Adoption and execution in 2015-2017 of an annual implementation plan of Act No. 2012-023 of 12 July 2012 on combating trafficking in persons and similar practices. • Establishment of the National Committee to combat trafficking in persons and similar practices. • Trial in in the framework of the fight against trafficking in persons and similar practices.

Action Results *Recommendation*	*Status*	*Measures taken planned*	*Indicators of results* *Impact of measures for implementation of recommendations and commitments*
			• Training and raising the awareness of those working in the justice system, representatives of civil society organizations and community leaders in the regions of Mali.
			• Training the defence and security forces in human rights and international humanitarian law.
			• Training religious leaders about radicalism, violent extremism and tolerant Islam.
			• Broadcast of programmes for the national peace and reconciliation unit on national radio and television and private radio stations.
(b) National strategy/initiatives	In progress	Decree No. 2017-0800 PM-RM of 19 September 2017 on the establishment and terms of reference of the Committee to supervise the preparation of the national report for the universal periodic review.	Interministerial committee set up to, among others, coordinate the actions of ministerial departments, propose a draft report, organize its approval and follow up implementation of the recommendations.
I.3 Legislative measures/compliance with international instruments (**III**-1 and 3, **III**-7 to 8, **III**-63)		• Review of Act No. 01-079 on the Criminal Code and Act No. 01-080 on the Code of Criminal Procedure. • Action in progress to publish all international and regional human rights treaties ratified by Mali in the Official Journal.	Continuation of the process to harmonize national legislation with the provisions of international human rights treaties.

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Action Plan Recommendation	Status	Measures taken planned	Indicators of results Impact of measures for implementation of recommendations and commitments
II. Governance (democracy, elections, judicial system, impunity, etc.)			
II.1 Democracy (**111**-1 to 2, **111**.22, **111**.23, **111**-53, **111**-57, **111**-63)	Finished	• Government of transition put in place (2013). • Conference on the north (2014). • Conference on decentralization (2014). • State-political parties cooperation. • National understanding conference (2017). • Decree No. 2015-0655 of 19 October 2015 setting out the institutional framework of the emergency programme to revive development in the northern regions. • Act No. 2015-008 of 5 March 2015 on military guidance and programming for 2015-2019. • Act No. 2017-029 of 14 July 2017 on internal security programming for 2017 to 2021. • National human rights policy (2016) and plan of action (2017-2021).	• Transfer of powers between the Transition President and the Elected President (2013). • Dissolution of the junta (2013). • Signing of the Agreement for Peace and Reconciliation in Mali resulting from the Algiers Process (2015). • Establishment of the emergency programme to revive development in the northern regions (2015). • Amendment of the Code of Conduct of the armed and security forces. • Establishment of the National Security Sector Reform Council. • Annual Democratic Discussion Forum. • National Understanding Charter (2017). Establishment of the Ministry of Human Rights and State Reform.
II.2 Elections (**111**-2, **111**-3 to 6)	In progress	• Preliminary agreement to the Presidential Election and the Inclusive Peace Talks in Ouagadougou (June 2013)	• Presidential and legislative elections in 2013 and municipal elections in 2016, which took place in a pluralist and democratic manner.

Action Plan's Recommendation	Status	Measures taken planned	Indicators of results Impact of measures for implementation of recommendations and commitments
		• Act 2016-048 of 17 October 2016 on elections taking gender into account	• Three types of elections planned for 17 December 2017:
		• Adoption by the Cabinet on 5 October 2017 of decrees summoning the Electoral College for the elections of municipal councillors, district councillors and regional councillors	• partial municipal elections in 59/703 municipalities where elections could not be held in November 2016 • local elections • regional elections.
II.3 Judicial system (**111**-54, **111**-56, **111**-58 to 60)	In progress	• PUREJUSTICE 2015. • Two studies of the criminal justice system in 2014. • Reinstatement of competences to courts in the north. • Measures to humanize prison administration. • Malian Justice Support Plan (2014).	• New Supreme Court headquarters built. • Administrative court of Mopti built. • District courts built in Sagt, Niono, Tana and Macina. • 18 courts in the northern regions built or renovated. • Building in progress of a new central prison at Kenieroba, outside Bamako. • Establishment in the National Directorate of Judicial Affairs of a permanent commission to revise and harmonize legislation.
II.4 Impunity (**111**-37, **111**-43, **111**-45 to 52, **111**-55 to 56, **111**-61 to 62, **112**-13 to 14, 112-23 to 27)	In progress	• Partnership agreement between the International Criminal Court and the Government of Mali in the framework of cases referred to it (2013).	• Visits of the Prosecutor of the International Criminal Court (2013, 2017). • Referral of Ahmad Al Faqi to the International Criminal Court (2015).

Action Results *Recommendation*	*Status*	*Measures taken planned*	*Indicators of results* *Impact of measures for implementation of recommendations and commitments*
		• Establishment of an international Commission of Inquiry under article 46 of the Agreement on Peace and Reconciliation. • Arrest warrants issued for perpetrators of serious human rights violations in the north. • National transitional justice policy and action plan 2016-2020 (December 2016). • Bill on the protection of human rights defenders.	• Conviction of Aliou Mahamane Touré by the Mali Assize Court in 2017. • Arrest, appearance and charging of certain members of the military junta and presumed perpetrators of the assassination of Ghislaine Dupont and Claude Verlon of Radio France Internationale (RFI). • Putting in place and into operation of the Truth, Justice and Reconciliation Commission and its regional branches.
III. International instruments and cooperation with international human rights mechanisms			
III.1 Improve cooperation with treaty bodies			
(a) Ratification (**110**-1)	In progress	• Decree No. 2015-0866/P-RM on accession of the Republic of Mali to the Convention relating to the Status of Stateless Persons. • Decree No. 2015-0881P-RM on accession of the Republic of Mali to the Convention on the Reduction of Statelessness.	Progress in implementation of Mali's commitments to ratifying international human rights instruments.
(b) Special procedures and cooperation with treaty bodies (**110**-6 to 7, **111**-11 to 12, **111**-7, **112**-9)	In progress	• During the reference period the activities listed under the results heading demonstrate the interest and commitment of Mali to United Nations mechanisms.	• Cooperation with the Human Rights Division of MINUSMA.

Action Results *Recommendations*	*Status*	*Measures taken planned*	*Indicators of results* *Impact of measures for implementation of recommendations and commitments*
		• Interministerial Committee to support the drafting of initial periodic reports.	• Seventh visit of the Independent Expert on human rights, 7-16 November 2016.
III.2 Technical assistance (**110**-8 to 10)	In progress	Strengthened cooperation with bilateral and multilateral partners on human rights makes it possible to reach the objective of consolidating legal protection mechanisms and to take action that will improve human rights protection and the living conditions of the whole population.	• Technical assistance from the International Committee of the Red Cross (ICRC) and the Office of the High Commissioner for Refugees (UNHCR) • Assistance from UNDP, the European Union (EU), the United States Agency for International Development (USAID), and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). Collaboration between the Mali armed forces, MINUSMA and BARKHANE. • Assistance of the International Organisation of La Francophonie with the final draft of the universal periodic review report in 2017.
IV. Civil and political rights			
IV.1 Right to life and the death penalty (**111**-17 to 18, **112**-1 to 2, **112**.10, **112**-11 to 12)	In progress	• The de facto moratorium on executions since 1980 has been maintained. • Abolition of the death penalty and commutation of sentences are under examination.	**The Criminal Code still has provisions involving the death penalty, although no person sentenced to death has been executed since 1980.**

Action Results Recommendation	Status	Measures taken planned	Indicators of results Impact of measures for implementation of recommendations and commitments
IV.2 Torture, cruel, inhuman or degrading punishments or treatment and conditions of detention (**111**-24)	In progress	• Prison visits conducted by the National Human Rights Commission and a report published in 2016. • Measures to humanize places of detention with a view to avoiding ill-treatment.	• Application of disciplinary measures. • Improved prison living conditions. • Introduction of surveillance cameras in Bamako Central Prison. • Construction of a new prison in order to reduce prison overcrowding.
IV.3 Trafficking in human beings, slavery and similar practices (**111**-37 to 38)	In progress	• Action plan to combat trafficking in persons and similar practices. • Tripartite judicial cooperation between Mali, Chad and Niger on fighting transnational organized crime and terrorism.	Establishment of the National Coordinating Committee on Combatting Trafficking in Persons and Similar Practices. Activities began on 15 March 2016 with a trial.
IV.4 Freedom of religion and worship (**110**-12, **111**-64 to 66, **113**-1)	In progress	• Freedom of religion and worship are protected under article 4 of the Malian Constitution. • Religious programmes on national television without distinction. • Establishment of the Ministry of Religious Affairs and Worship	Renovation of destroyed mausolea in Timbuktu. Warrants issued for the arrest of presumed perpetrators, including Ahmad Al Faqi.
IV.5 Freedom of opinion and expression (**111**-67 to 69)	In progress	• Order No. 2014-006/P-RM of 21 January 2014 establishing the High Communication Authority, amended and ratified by Act No. 2015-018 of 4 June 2015. • Review in progress of Act No. 00-046 of 5 July 2000 on press regulation and press offences.	• Prosecution of perpetrators of attacks on journalists. • Opening of an inquiry into the disappearance of journalists. • Strengthened relations between the security forces and journalist through a guide.

Action Results *Recommendation*	*Status*	*Measures taken planned*	*Indicators of results* *Impact of measures for implementation of recommendations and commitments*
			• Improved security for journalists in times of crisis. • Speedy treatment by the judicial authorities of journalists' complaints. • Personal protection in the event of proven threats.
IV.6 Human rights — Personal safety — Fighting terrorism (**110**-11, **111**-85, **111**-43 to 44, **112**-13)	In progress	• Security Sector Reform. • Amendment of the Code of Conduct of the Armed and Security Forces. • Collaboration between the Mali armed forces, MINUSMA and BARKHANE. • Act No. 2016-008 of 17 March 2016 introducing a single Act on money laundering and the financing of terrorism. • Act No. 2013-06 of 21 May 2013 on the Code of Criminal Procedure amending the rules of procedure on police custody and searches of and visits to homes. • Agreement between armed groups (2016-2017). • Community dialogue forums.	• Operational Coordination Mechanism. • Training and equipping soldiers. • Establishment of an anti-terrorism unit in municipality VI. • Establishment of the G5 Sahel force. • Establishment of a fusion, analysis and intelligence centre. • Establishment of special counter-terrorism forces. • Establishment of a Central Narcotics Office under Order No. 2013-012/P-RM of 2 September 2013. • Seizure of three tons of Indian hemp in 2016-2017.

Action Results *Recommendation*	*Status*	*Measures taken planned*	*Indicators of results* *Impact of measures for implementation of recommendations and commitments*
IV.7 Administration of justice and fair trial (**111**-9, 111-54, **111**-58)	In progress	Set up an emergency programme to strengthen the judicial system and implement the Algiers Agreement (2015-2018).	• Speedy management of cases in investigation and prosecution of presumed perpetrators of human rights violations. • Organization of mobile court hearings.
V. Economic, social and cultural rights			
V.1 Right to food and access to drinking water (**111**-74, **111**-76 to 77)	In progress	Presidential Emergency Social Programme (2017) implemented throughout national territory.	• Distribution of foodstuffs. • National access to drinking water increased from 63.6 per cent in 2013 to 66.9 per cent in 2016. • Treatment of 108 water points and distribution of 35,300 filters in the northern regions. • 431,495 home visits conducted in the framework of housing hygiene. • 18,651 latrines improved in the framework of combating faecal pollution. • Health inspection of 20,001 collective eating establishments in the framework of preventing and combating food-related diseases.

Action Results *Recommendation*	*Status*	*Measures taken planned*	*Indicators of results* *Impact of measures for implementation of recommendations and commitments*
V.2 Combating poverty (**111**-72)	In progress	• Government Action Programme 2013-2018. • Plan for the sustainable economic recovery of Mali 2013-2018. • Strategic Framework for Economic Recovery and Sustainable Development 2016-2018. • Accelerated development programme for the northern regions.	• Increased rate of economic growth. • Putting in place the Sahel Women's Empowerment and Demographic Dividend project (SWEDD).
V.3 Right to education (**111**-78 to 80)	In progress	• Emergency Education for All project 2013-2016. • Interim Programme for the revival of education and vocational training, 2015-2016. • Vocational Training Support Fund by the Youth Employment Agency and the National Employment Agency.	• Establishment of 1,317 level I primary schools (2014-2017). • Enrolment of 288,684 additional pupils in basic education between 2014 and 2017. • Recruitment of 2,579 teachers in 2016. • Establishment of the National Employment and Training Observatory under Order No. 2013-024 of 30 December 2013. • Hundreds of young people have been trained.
V.4 Right to health (**111**-73)	In progress	National Technical Working Group on Health and Environment.	• All regions and the district of Bamako provided with insecticides, rat extermination materials and treatment equipment.

Action Results *Recommendation*	*Status*	*Measures taken planned*	*Indicators of results* *Impact of measures for implementation of recommendations and commitments*
			• Additional 800 health districts provided with a canteen and/or a means of archival storage. • Disinfection of 19,791 concessions and 17 administrative buildings. • Four referral health centres and 16 community health centres provided with incinerators for the management of biomedical waste.
VI. Rights of specific groups			
VI.1 Women's rights and gender perspective (**110**-5, **111**-8, **111**-10, **111**-13 to 16, **111**-25 to 32, **111**-70 to 71, **112**-6 to 7, **112**-14 to 20)	In progress	• National Programme to Combat Excision. • National women's empowerment programmes. • Participation of women in the implementation of the Agreement on Peace and Reconciliation in Mali resulting from the Algiers Process of 2015. • Technical and financial support to organize civil society to combat genital mutilation. • Legal, psychological and social assistance for victims. • Support to NGOs assisting victims of sexual violence. • Monitoring cases of sexual violence against women. • Punishment by the Criminal Code of violence against women.	• Establishment of a national unit to combat excision. • Putting into operation the Permanent Secretariat for national gender policy. • Establishment of committees to mainstream gender policy in ministerial departments. • Establishment of a gender equality section in the National Civil Service and Human Resources Directorate. • Decision No. 2017-002/MPFEF/SG of 24 January 2017 establishing the National Committee to follow up the process of adopting the bill on gender-based violence, including excision. • Adoption in progress of the bill on gender-based violence.

Action Results / *Recommendation*	*Status*	*Measures taken planned*	*Indicators of results* / *Impact of measures for implementation of recommendations and commitments*
		• Action plans (2012-2014 and 2015-2017) for implementation of resolution 1325 on women, peace and security. • Celebration of 16 days of activism against violence against women. • National agricultural land policy on women's access to land and housing. • Act No. 2017-001 of 11 April 2017 on agricultural land. • Bill on gender-based violence, including excision. • Celebration of International Day of Zero Tolerance for Female Genital Mutilation. • Act No. 2015-052 of 18 December 2015 introducing measures to promote gender equality in access to appointed and elected office.	• **Continuing study of review of the Personal Status and Family Code. Sociocultural factors have forced Mali to postpone any initiative for the time being.**
VI.2 Rights of the child (**111**-33 to 36, **111**-39 to 42, **111**-75, **112**-21 to 22)	In progress	• National child protection policy. • Action plan to combat statelessness. • Act No. 021 of 12 June 2017 amending the Employment Code by raising the minimum age of access to employment from 14 to 15 years.	• Launch in Segou of the Area Free of All Child Labour in October 2014. • Naturalization of the children of Mauritanian refugees. • Establishment of the Solidarity Foundation by Order No. 2017-026/P-RM of 14 August 2017.

Action Results			*Indicators of results*
Recommendation	*Status*	*Measures taken planned*	*Impact of measures for implementation of recommendations and commitments*
		• Interministerial memorandum of 7 February 2013 on the prevention, protection and return to their families of children associated with armed groups.	• Implementation of the national policy and action plan to enable measurement of the results of actions undertaken in the near future.
		• Act 2016-058 of 27 December 2016 on war orphans in the Republic of Mali	• International technical assistance would help Mali to achieve these results.
VI.3 Internally displaced persons, refugees and asylum seekers (**111**-82 to 84)	In progress	• Organization of the return of displaced persons to their regions.	As at 30 June 2017, 60,094 returns out of a total of 140,548 persons.
		• Signing of three tripartite agreements: Mali-UNHCR-Niger (2014); Mali-UNHCR-Burkina Faso (2015), and Mali-UNHCR-Mauritania (2016).	

X. Cooperation with the international community in the framework of follow-up of the recommendations and commitments resulting from the universal periodic review

61. The Government cooperates closely with the Office of the High Commissioner for Human Rights (OHCHR) through the Human Rights Division of MINUSMA, which has provided support for:

- Drafting the mid-term report on implementation of the recommendations of the second cycle of the universal periodic review.
- In November 2014, organizing a session of the Interministerial Committee to support the drafting of initial periodic reports devoted to examining the Government's periodic reports on the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the African Union Declaration on Gender Equality in Africa.[49]
- A training seminar on drafting national reports for members of this Committee in 2016.

62. The Government cooperates fully with all special-procedure mandate holders of the Human Rights Council. It has received favourably the requests to visit of the independent expert on the human rights situation in Mali.[50]

XI. Progress and best practices

63. The Government of Mali has displayed a genuine will to promote and protect human rights, in particular through:

- Holding the Democratic Discussion Forum on 10 December every year.
- Drafting the annual National Human Rights Commission report on the human rights situation.
- Establishing the Ministry of Human Rights and State Reform in April 2017.
- Producing training manuals and collections of international and regional human rights law.
- Since 2013, organizing national human rights week and the national symposium on human rights.
- Adopting the national human rights policy.
- Adopting the national transitional justice policy.
- Adopting a bill on the protection of human rights defenders.

XII. Difficulties and constraints

64. The Government of Mali faces difficulties and constraints:

- Poor mobilization of both domestic and international resources to contribute to poverty reduction.
- Sociocultural factors that affect promotion of the rights of women and fighting female genital mutilation.
- Weak capacities of the State and non-State actors working in the human rights field.
- Inadequacy of the institutional and normative human rights framework.

- End of financing of the Support Programme for the Promotion and Protection of Human Rights.
- Weak participation of Mali in the sessions of the Human Rights Council.

XIII. Impact of the multidimensional crisis on the human rights situation in Mali

65. From an economic point of view, the crisis has had a negative effect on wealth creation, including a fall in growth in 2012 (-0.8 per cent) and 2013 (2.3 per cent).

66. This economic slow-down has increased poverty, the rate of which was 52.8 per cent in rural areas in 2014, compared to 28.5 per cent in urban areas.

67. Armed confrontations, the weak presence of the State, basic social services and security services in the regions of the centre and north and the slow pace of their redeployment have led to a rise in human rights violations and community tensions.

XIV. Application of the Agreement on Peace and Reconciliation in Mali resulting from the Algiers Process

68. 2015 was marked by the outcome of the negotiations that led to the signing of the Agreement on Peace and Reconciliation in Mali on 15 May, completed in Bamako on 29 June. Although the ambient insecurity has made it hesitant, there has been some progress in implementing it. In accordance with article 57 of the Agreement, the Agreement Follow-Up Committee and the National Coordinating Committee for Implementation of the Agreement have been set up to facilitate implementation and follow-up with all stakeholders.

69. In the framework of implementation of the Agreement, the Government has taken responsibility for the fighters of the signatory movements. It has supplied partial lists of ex-combatants of the signatory movements with a view to forming the first Operational Coordination Mechanism units and assigning them to bases. In accordance with the Agreement, the first combined patrol was organized on the decision of the Operational Coordination Mechanism. On 14 November 2015, in close collaboration with the Government, MINUSMA inspected the building work on various sites for bases in the regions of Tombouctou and Gao. Of the 24 proposed sites, 15 were technically evaluated, 11 of which were approved by the Technical Security Committee.

70. Since the ministerial meeting of 23 September 2016, substantial progress has been made in implementing the Agreement for Peace and Reconciliation in Mali resulting from the Algiers Process, including the holding of a National Understanding Conference, and the establishment of the National Disarmament, Demobilization and Reintegration Commission and the Security Sector Reform Council. Combined patrols are increasingly operational, as are the interim authorities and the emergency plan for development of the northern regions.

71. The Government is intensifying its efforts to provide basic social services and the dividends of peace to the people affected by the crisis. Municipal and regional elections are planned for late 2017.

72. Nonetheless, terrorism, drug-trafficking and frequent clashes between armed groups threaten the efforts exerted by the Government and the international community to implement the Agreement.

73. The Government of Mali, which has made very substantial financial efforts, will respect all its commitments in the framework of application of the Agreement because it is convinced that there is no credible alternative to the peaceful path to lasting settlement of the crisis.

XV. Expectations in terms of capacity-building and technical assistance

74. In light of the context marked by the challenges connected with implementation of the Agreement for Peace and Reconciliation resulting from the Algiers Process, the authorities require technical assistance to enable them to continue current efforts to promote and protect human rights, draft reports within the allotted time frames and implement the recommendations of the treaty bodies and the universal periodic review.

75. National human rights institutions and civil society organizations deserve particular attention with regard to capacity-building and technical assistance in view of the role they are called upon to play in promoting and protecting human rights.

XVI. Conclusion

76. Between 2013 and 2017, indiscriminate attacks and targeted criminal and terrorist acts committed by extremist armed groups in the regions of the north and centre have affected civilian communities, national and international forces and United Nations staff. This situation is tending to crystallize and bring some armed rebel groups closer to armed extremist groups, whose activities are becoming recurrent and dangerous in the north and centre of Mali.

77. In light of the above, the international community is called upon to support the Malian authorities in their efforts to prevent violations of human rights and international humanitarian law. This means paying particular attention to the support strategy for MINUSMA and the actual deployment of troops equipped with substantial means to guarantee the protection of civilian communities in the localities of the north and centre.

78. The international community is also called upon to continue to support the Government in order to guarantee the security of people throughout national territory by strengthening national capacities, including those of the defence and security forces and the judicial system, in order to enhance the promotion and protection of human rights in Mali.

Notes

[1] Recommandation 110.1
[2] Recommandations 111.8, 110.3
[3] Recommandation 111.72
[4] Recommandation 110.5
[5] Recommandation 111.38
[6] Recommandation 111.54
[7] Recommandations 111.55, 111.56
[8] Recommandation 111.9
[9] Recommandations 111.59, 111.60
[10] Recommandation 111.44
[11] Recommandations 111.43, 112.24, 112.27
[12] Recommandation 111.85
[13] Recommandation 111.7
[14] Recommandations 111.61, 111.62
[15] Recommandations 111.58
[16] Recommandations 110.2, 111.4
[17] Recommandation 111.5
[18] Recommandations 111.1, 111.2, 111.3
[19] Recommandation 111.7
[20] Recommandations 110.10 111.1, 111.6
[21] Recommandations 112.24, 112.27
[22] Recommandations 111.48, 111.49, 111.50, 111.52, 111.55, 111.56, 112.23
[23] Recommandation 112.23
[24] Recommandation 110.7
[25] Recommandation 110.9

[36] Recommendations 110.11, 111.43, 111.85.
[37] Recommendations 110.4.
[38] Recommendations 111.17, 111.18.
[39] Recommendations 111.37, 111.38.
[40] Recommendations 111.19, 111.21, 112.13, 112.14.
[41] Recommendations 110.12, 111.64, 111.65, 111.66.
[42] Recommendations 111.67, 111.68, 111.69.
[43] Recommendations 111.73.
[44] Recommendations 111.70, 111.76.
[45] Recommendations 111.80.
[46] Recommendations 111.75.
[47] Recommendations 111.77.
[48] Recommendations 111.74, 111.76.
[49] Recommendations 111.26, 111.27, 111.28, 111.29, 111.60, 112.6, 112.7, 112.10, 112.16.
[50] Recommendations 112.16.
[51] Recommendations 112.14, 112.19, 111.71, 111.31, 111.32, 112.15.
[52] Recommendations 111.13, 111.15, 111.16.
[53] Recommendations 111.14, 111.70.
[54] Recommendations 111.29, 111.30, 111.31.
[55] Recommendations 111.16, 111.33, 111.32, 111.83.
[56] Recommendations 111.39, 111.40, 111.41, 111.42.
[57] Recommendations 111.34, 111.35, 111.36.
[58] Recommendations 111.75.
[59] Recommendations 110.8.
[60] Recommendations 111.12.